

MIAMI COUNTY COMMISSIONERS
25 N. BROADWAY
PERU, IN 46970
MINUTES
07-05-11

Commissioner Boyer opened the meeting.

SEE CAFO

A group of homeowners came before the Board of Commissioners to voice their objections to the Aaron & Michelle See permit for a CAFO. IDEM has already approved the permit. They have met the requirements for the County to issue the permit they need from the County. Home owners in attendance were: Charles Smith, Carol Cohee, Byron Cohee, Heather Barrett, Jerry Smith, Johnnie Miller, Gilford Miller Sr., Stephen Sherman, Duane Fouts, William Young, Jeff Smith and Nicole Smith.

Byron and Carol Cohee own the property just west of the site. Mr. Cohee asked the Board if they had already given their approval for the project. Commissioner Boyer said that if IDEM approves it and they meet all of the requirements for Miami County, then it is approved.

Mr. Jerry Smith said he felt like there was not enough room there to meet all of the requirements.

Mr. Charles Smith said the group received their letters last week about the revisions that had been done. He is very concerned about the drive that they will be using. He feels like it will create a traffic hazard. Darrell Wooten, Planning and zoning, stated that he checked the drive and there is 500 foot vision both ways which meets the requirement.

Mr. Jerry Smith voiced a concern about management consideration. He feels that they do not manage things very well. The Board said they are required to follow all regulations.

Several of the homeowners voiced concern over the wear and tear on the roads from the heavy fertilizer, manure, and construction trucks and the cost to the County to repair those roads since money for repairs is very tight. Along with that is the depreciation of the homes in that area. Mrs. Cohee said her research showed that depreciation would be about 40% along with a 30% decline due to the economic times. Sara McAuliffe stated that she had someone who filed an assessment appeal due to this kind of situation and the appeal was denied, so the assessment stood.

The homeowners questioned how the measuring was done. Mr. Wooten stated that the first plans were questionable and according to figures on his computer, the plans would not meet the qualifications and he called for a survey to be done. The See's then submitted a revised plan which only had one building instead of two. When Mr. Wooten calculated that set of plans it met the necessary requirements.

The group was also upset because they had been told that there would be a public hearing on the matter. Commissioner Boyer said if the group appealed to IDEM, he was sure there would have to be a public hearing. Mr. Miller stated he felt that if IDEM had done their job, this conversation would not be taking place.

Mrs. Cohee asked if there was anything in the Boards power to object to this project. Commissioner Boyer said if they have met all the requirements of IDEM and the County, he felt like the Board could not object. Commissioner Boyer also added that there are not abatements on hog barns and the 3% circuit breaker cap would apply.

Commissioner Francis also stated that if these people met all the requirements he doesn't feel government should override that. He feels that would be overstepping the boundaries of their job.

Jerry Smith asked Mr. Wooten if he was to build a home right behind his father would they still be in compliance. Mr. Wooten told him to bring him the information and he would check it out.

Nicole Smith asked about health issues. She lives within ½ mile and is highly allergic. Commissioner Faust advised her to contact the Air Quality division of IDEM.

The Commissioners advised the group to list all of their concerns and hire an attorney. The group asked if the Board of Commissioner has the final say why does it have to go back to the State. The Board stated that is the process. Commissioner Faust said the Board of Commissioners also has laws and regulations they have to go by as well.

Mr. Charles Smith stated that good neighbors don't do this to good neighbors. Commissioner Francis stated he understands where they are coming from and Mr. Smith said he did not. Commissioner Francis stated the same thing happened to his sister and brother-in-law in Carroll County, so he fully understood.

The group stated "hog crap is hog crap" and the Commissioners have a responsibility to safeguard them.

Mr. Jerry Miller asked Mr. Wooten if the group could hire their own surveyor. Commissioner Francis stated they would have to get permission from the homeowner.

Mrs. Cohee asked who passes ordinances or changes to ordinances. Commissioner Francis stated that would be the Commissioners and they would look at the ordinance but that it would not happen in a time frame that would affect this particular situation.

The group will file an appeal with IDEM today.

IT

John Powell, IT Director, turned in a signature sheet showing he has received the keys from the former cleaning service.

Mr. Powell also asked the Board about internet access for the Health Department. When the Health Department was on the States program they had that access but since moving to the County's they haven't had it and need it for the performance of their job. Commissioner Francis made a motion to allow and Commissioner Faust 2nd the motion. Motion passed 3-0.

Mr. Powell, Rebecca Morris, Treasurer and Sara McAuliffe, Assessor spoke to the Board regarding software issues that affect the Treasurer, Auditor and Assessor. Mr. Powell gave the Board information regarding software packages for those three offices and gave the Board some cost figures provided by the Treasurer. Mr. Powell told the Board that they did not want to go any further if the Board did not feel the County had the money to change software and he did not recommend changing unless it was to a fully integrated system. The Auditor did not know this was being brought to this meeting and did not have her information with her. The Board decided not to pursue at this time.

Mr. Powell has not heard back from the Company he requested a bid from to move the generator from the old jail to the Courthouse so he has asked another company to give him an estimate.

Mr. Powell also requested a VPN for the new 9-1-1 Director. The 9-1-1 Director has always had a VPN due to the demands of that position. Commissioner Faust made a motion to allow and Commissioner Francis 2nd the motion. Motion passed 3-0.

MCEDA

Jim Tidd, Director, informed the Board that Barbara Baldwin and Carl Anderson from Baldwin Painting will be in the community on Tuesday and Friday to finalize plans on their facility (Hanger 200).

CLAIMS

Commissioner Faust made a motion to approve. Commissioner Francis 2nd the motion and it passed 3-0.

MINUTES

Commissioner Faust made a motion to approve and Commissioner Francis 2nd the motion. Motion passed 3-0.

THANK YOU

Commissioner Faust received a letter on behalf of the Commissioner from Nancy Weeks, The Cleaning Man, for allowing the Company to clean the Courthouse all these years.

KIOSK

Sandy Chittum, Chamber of Commerce contacted Commissioner Faust about possibly moving the kiosk closer to Main Street to give her easier access to it. Commissioner Francis made a motion to allow. Commissioner Faust 2nd the motion and it passed 3-0.

Commissioner Francis made a motion to adjourn. Commissioner Faust 2nd the motion and it passed 3-0.

Adjourned

MIAMI COUNTY BOARD OF COMMISSION

_____, **Chairman**
C. Craig Boyer

_____, **Vice Chairman**
H. Jon Faust

_____, **Member**
Joshua Francis

Attest: _____ **Auditor**
Jane Lilley